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December 18, 2020

BY ECF

Honorable Peggy Kuo
United States Magistrate Judge
United States District Court, Eastern District of New York
225 Cadman Plaza East, Courtroom 11C South
Brooklyn, New York 11201

Re: United States of America v. One Cuneiform Tablet Known as the “Gilgamesh Tablet”
(E.D.N.Y. Civil Docket No. 20-2222)

Dear Judge Kuo:

We represent Claimant Hobby Lobby Stores, Inc. in the above-referenced action.

This letter responds to the Court’s Order of December 16, 2020 where the Parties were directed to respond to a letter from the Foreign Process Office of the UK Royal Courts of Justice dated November 23, 2020. As you are aware, this Court issued an Order on November 2, 2020 granting Claimant’s motion for a Letter of Request seeking judicial assistance from the High Court of England in obtaining depositions and other discovery from current and former employees of Christie’s. This Court transmitted the Letter of Request to the UK authorities on November 20, 2020 pursuant to Article 2 of the Hague Convention.

Notwithstanding the fact that the Claimant’s UK counsel was named in the Letter of Request and had previously contacted the Foreign Process Office clarifying the procedures to be followed in handling the Letter of Request, the Foreign Process Office mistakenly returned the Letter of Request to this Court. The Foreign Process Office attributes the error to outsourcing work to clerks from other parts of the High Court who were unfamiliar with the process.

Claimant’s UK counsel has been progressing the application using a copy of the Letter of Request. Today, the High Court has entrusted the file to a Senior Master, and we anticipate receiving instructions shortly. Claimant’s UK counsel has asked that this Court remit the original Letter of Request directly to them at the address below:

JMW Solicitors LLP
King’s House, 36-37 King St
London, EC2V 8BB
United Kingdom
FAO: Matthew Wescott

As Plaintiff’s counsel has not been a party to Claimant’s application to and discussions with the UK High Court, Plaintiff’s counsel is being advised of the status of this matter through this letter.

Respectfully submitted,

Pearlstein & McCullough LLP

By: /s/ Michael McCullough
Michael McCullough
Anju Uchima